

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:17-CR-111-1H

5:17-CR-111-2H

5:17-CR-111-3H

5:17-CR-111-5H

5:17-CR-111-6H

UNITED STATES OF AMERICA,

v.

JOHN DEVERE BATTLE,

ADRIAN RASHAUN ANDERSON,

TYQUAN MALIK ANSLEY

TYCOREY JAMAL TABORN, AND

ERIC LAMONT STEVENS,


Defendants.

**ORDER**

This matter is before the court on the government's Motion for Authorization to Take Saliva Samples and For Expedited Ruling, [DE #154]. Defendants did not respond, and the time for doing so has expired.

While the government's motion addressed Fifth and Sixth Amendment implications, it failed to address the Fourth Amendment implications. See, e.g., Maryland v. King, 569 U.S. 435 (2013). For lack of good cause shown, the government's motion, [DE #154], is DENIED WITHOUT PREJUDICE.

This 25<sup>th</sup> day of October 2017.

  
Malcolm J. Howard

Senior United States District Judge

At Greenville, NC  
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